

REMARKS

A telephone interview was held on April 10, 2003 between the Examiner and Dennis Smid (one of the applicants' undersigned attorneys). The applicants and Mr. Smid wish to thank the Examiner for his time and consideration for such interview.

It is submitted that the claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1, 2, 4-12 and 14-20 have been canceled herein. New claims 21-34 are in this application.

Claims 1, 2, 4-12, and 14-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hornak et al. (GB 2324919 of record). In explaining this rejection, the Examiner appears to rely on Figs. 12 and 18 and pages 21-22 of Hornak.

As previously indicated, claims 1, 2, 4-12 and 14-20 have been canceled herein.

New independent claim 21 relates to a demodulation structure and recites in part "wherein said digitally modulated signal is modulated in a signal band having a center frequency and said local oscillator signal has a center frequency, which is, in respect to said center frequency of the signal band, offset by half of the signal band width of the modulated digital signal." (Underlining and bold added for emphasis.) During the April 10th telephone interview, the Examiner acknowledged that the portions of Hornak relied upon by the Examiner

(hereinafter, merely "Hornak") do not disclose this feature. Accordingly, it is respectfully submitted that claim 21 is distinguishable from Hornak. For similar reasons, it is also respectfully submitted that new independent claim 28 is distinguishable from Hornak. New claims 23 and 30 are dependent from one of independent claims 21 and 28 and, due to such dependency, are also believed to be distinguishable from Hornak for at least the reasons previously described.

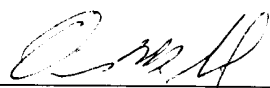
New independent claims 22 and 29 have also been added herein. Such new claims were discussed with the Examiner during the April 10th telephone interview. At such time, the Examiner referred to Fig. 7 of Hornak. It is respectfully submitted that Fig. 7 of Hornak does not appear to illustrate all of the features of claims 22 and 29. New claims 24-27 and 31-34 are dependent from one of independent claims 22 and 29.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


Dennis M. Smid
Reg. No. 34,930
(212) 588-0800